

# PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)  
(PCT Article 36 and Rule 70)

'05. 7. 27

Applicant's or agent's file reference R-53	<b>FOR FURTHER ACTION</b>		See Form PCT/IPEA/416
International application No. PCT/JP2004/003697	International filing date (day/month/year) 18.03.2004	Priority date (day/month/year) 18.03.2003	
International Patent Classification (IPC) or national classification and IPC Int.Cl. <sup>7</sup> F28F 3/08			
Applicant SHOWA DENKO K.K.			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.	
2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.	
3. This report is also accompanied by ANNEXES, comprising:	
a. <input type="checkbox"/> a total of _____ sheets, as follows:	
<input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).	
<input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.	
b. <input type="checkbox"/> a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).	
4. This report contains indications relating to the following items:	
<input checked="" type="checkbox"/> Box No. I Basis of the report	
<input type="checkbox"/> Box No. II Priority	
<input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	
<input type="checkbox"/> Box No. IV Lack of unity of invention	
<input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
<input type="checkbox"/> Box No. VI Certain documents cited	
<input type="checkbox"/> Box No. VII Certain defects in the international application	
<input type="checkbox"/> Box No. VIII Certain observations on the international application	

Date of submission of the demand 15.10.2004	Date of completion of this report 15.07.2005	
Name and mailing address of the IPEA/JP  <b>Japan Patent Office</b> 3-4-3, Kasumigaseki, Chiyoda-ku, Tokyo 100-8915, Japan	Authorized officer	3L 8610
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## Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:

international search (under Rules 12.3 and 23.1(b))  
 publication of the international application (under Rule 12.4)  
 international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

the international application as originally filed/furnished

the description:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the claims:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the drawings:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3.  The amendments have resulted in the cancellation of:

the description, pages \_\_\_\_\_

the claims, Nos. \_\_\_\_\_

the drawings, sheets/figs \_\_\_\_\_

the sequence listing (specify): \_\_\_\_\_

any table(s) related to sequence listing (specify): \_\_\_\_\_

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages \_\_\_\_\_

the claims, Nos. \_\_\_\_\_

the drawings, sheets/figs \_\_\_\_\_

the sequence listing (specify): \_\_\_\_\_

any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/003697

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

## 1. Statement

Novelty (N)	Claims	1-18	YES
	Claims		NO
Inventive step (IS)	Claims	5-18	YES
	Claims	1-4	NO
Industrial applicability (IA)	Claims	1-18	YES
	Claims		NO

## 2. Citations and explanations(Rule 70.7)

1) The following documents have been considered for the purpose of this report:

D1=JP 5-7958 A (SHOWA ALUMINUM CORPORATION) 1993.01.19

D2=Microfilm of the specification and drawings annexed to the written application of Japanese Utility Model Application No.201345/1984 (Laid-open No.111633/1986) (MEIDENSHA CORPORATION) 1986.07.15

2) The subject matter of claim 1-4 does not appear to involve an inventive Step in view of the documents D1, D2.

D1 discloses a tube blank correcting member 8 for use in fabricating a heat exchanger.

D2 discloses a tube blank correcting member 16, which has blank fitting slits, and an open end portion of the slit flares toward the opening with a gradually increasing width.

The skilled person in the art would easily conceive the idea of applying the above facts in D2 to the invention disclosed in D1.